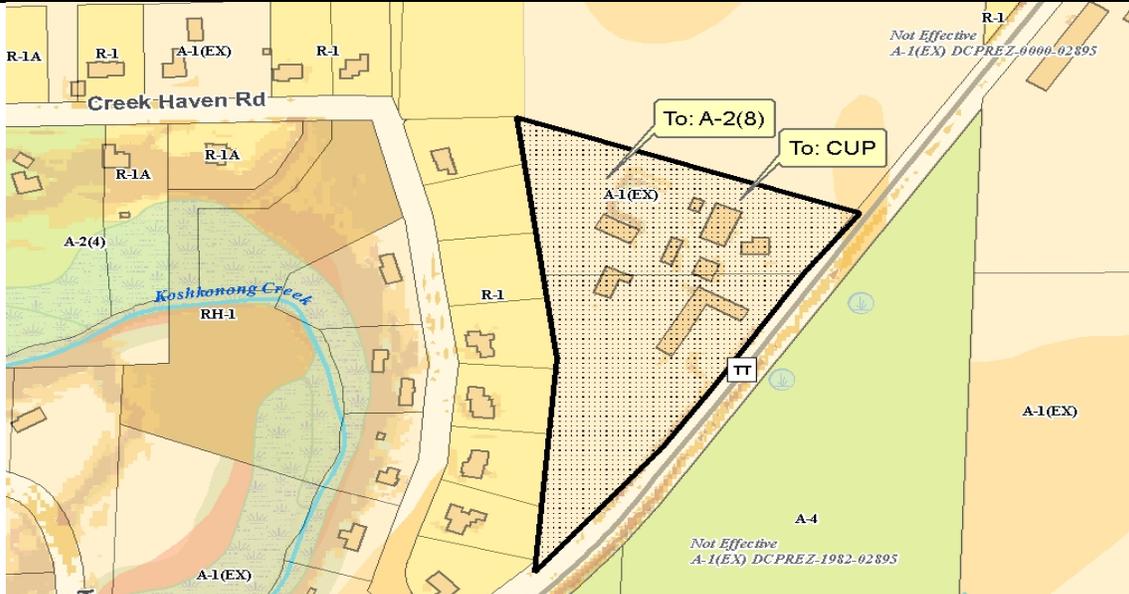




Staff Report

Zoning and Land Regulation Committee	<i>Public Hearing:</i> May 24, 2016	<i>Petition:</i> Rezone 10988 CUP 2341
	<i>Zoning Amendment:</i> A-1EX Exclusive Agriculture District to A-2(8) agriculture District	<i>Town/sect:</i> Sun Prairie Section 34
	<i>Acres:</i> 10.3 <i>Survey Req. Yes</i>	<i>Applicant</i> Kaltenburg Trust
	<i>Reason:</i> Separating existing residence from farmland CUP Description: Unlimited livestock on 3 to 16 acres	<i>Location:</i> 4989 County highway TT



DESCRIPTION: Applicant proposes to separate existing farm residence and farm buildings from the farmland. A conditional use permit to allow “unlimited livestock” is requested to provide compliance for the continued keeping of livestock and use of the livestock buildings on the property. Specific request is for 200 animal units on the property.

OBSERVATIONS: Property consists of 100% class II soils. No sensitive environmental features observed. No new development proposed.

TOWN PLAN: The property is located in the town’s agricultural preservation area.

RESOURCE PROTECTION: No resource protection corridors located on the property.

STAFF: The proposal appears consistent with town plan policies. Staff has recommended conditions of approval on the CUP to ensure that plans remain in place to safely collect, store and dispose of animal waste. Any modification of the existing manure storage structure should be consistent with Dane County Code of Ordinances Chapter 14, Subchapter 1. Note that the applicant appears to already have a nutrient management plan in place for the property.

5/24 ZLR: Postponed due to no town action and public opposition. The neighboring residential landowner express concerns regarding number of animals on the property and the close proximity of an agricultural use.

TOWN: The Town approved the rezoning with no conditions.
The Town approved the CUP with one condition, limiting the animal units to 200, specifically beef or dairy cattle.

Staff Update: The town limitations should address the neighbor’s concerns. The neighbor was contacted to explain the limitations on the property as part of this petition.

Proposed Conditional Use Permit #2341

In order for an applicant to obtain a Conditional Use Permit, the Zoning and Land Regulation Committee must find that all of the following standards are met for the proposed land use:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made; and
5. That adequate measures have been or will be being taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Staff has prepared a list of conditions that may be used in order to meet the six standards as listed above to allow the conditional use on the property. Please note that the conditions may need to be changed or additional conditions added to address potential nuisances that may come to light during the public hearing.

Note: Town conditions were incorporated into the staff's suggested conditions.

1. Livestock shall be limited to a maximum of 200 animal units, limited to beef or dairy cattle only.
2. Owner/Operator shall be responsible for instituting and complying with a nutrient (manure) management plan written to NRCS 590 standards and approved by Dane County Land Conservation.
3. Any modification of the existing manure storage structure should be consistent with Dane County Code of Ordinances Chapter 14, Subchapter 1.